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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,048	02/02/2004	Gary Alan Hankins		9488

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EXAMINER

LA, ANH V

ART UNIT PAPER NUMBER

2636

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/770,048

Applicant(s)

HANKINS, GARY ALAN

Examiner

Anh V. La

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The drawings are objected to because figures 15, 25, 35, 45, and 55 should be changed to - - Figures 1, 2, 3, 4 , 5--.

3. Claims 1-12 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

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4. Claims 2, 8-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "said device" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 8, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Onan.

Regarding claim 1, Onan discloses an automatic turn signal indicator control device which contains an integrated voltage supply regulator 20, the device automatically canceling the turn signal indicator and providing multiple turn signal indicator control functions for use on a motorcycle or other vehicle (column 2, line 45-col. 3, line 15).

Regarding claim 3, Onan discloses the device being adaptable to any vehicle which relying on banking or leaning to complete a turning maneuver (col. 1, line 50-col. 2, line 15).

Regarding claim 4, Onan discloses performing an initial power up sequence to verify that the vehicle's turn signal control system is functioning properly (col. 3, line 62 - col. 4, line 5, col. 6, lines 7-25).

Regarding claim 5, Onan discloses a manual turn signal indicator activation switch (col. 5, lines 10-20).

Regarding claim 6, Onan discloses providing multiple turn signal indicator control functions by automatic deactivation of the turn signal indicator, a continuous indicator function for use as in being stopped at a traffic control signal or moving slowly in heavy traffic, a time controlled indicator function, a continuous emergency four-way flasher function, a time controlled emergency four-way flasher function, manual deactivation, conversion of the continuous function into the timed functions, and conversion of the timed functions into the continuous functions.

Regarding claim 7, Onan discloses providing multiple turn signal indicator control functions through sequential operation of the turn signal indicator activation switch (col. 5, lines 5-20).

Regarding claim 8, Onan discloses a voltage regulator 20, the control circuitry consisting of capacitors, resistors, diodes, logic, memory, or signal processing device (fig. 2), a controller 50, 500, a means of directing and controlling the output of the controller to the turn signal circuitry, and a printed circuit board (fig. 2).

7. Claims 2, 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Shibata.

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Regarding claim 2, Shibata discloses an adjustable position sensor mounting system for use with a device that depends on detection of angular deviation for operation (col. 1, line 50- col. 2, line 55).

Regarding claim 9, Shibata discloses a base constructed of spring steel or other material type capable of providing spring like resilience and an adjusting device to provide a means of adjusting the base (fig. 3a-3c).

Regarding claim 10, Shibata discloses the device that when operated allows or cause change in the mounting base from its at rest position (col. 1, line 50- col. 2, line 55).

Regarding claim 11, Shibata discloses a position sensor being attached to the mounting base (fig. 3a-3c).

Regarding claim 12, Shibata discloses the position being heavy metal filed switch for detecting angular deviation (col. 4, lines 25-55).

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tsuchida teaches a multiple signal transmitting system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
June 23, 2005